

REMARKS

As a preliminary matter, although the Examiner appears to be arguing that the cited Atsushi reference (JP 11-16141) reads upon claims 9 and 10 of the present invention, Applicant notes that the Examiner has not actually included either of claims 9 or 10 in either of the stated rejections listed in paragraph nos. 3 or 13 of the outstanding Office Action. Accordingly, Applicant submits that the outstanding Office Action must be vacated and resubmitted with corrections indicating that claims 9 and 10 either contain allowable subject matter, or stating the actual grounds of rejection against them. The time for reply should also be reset accordingly.

Claims 1-7 stand rejected under 35 U.S.C. 102(b) as being anticipated by Atsushi. Applicant respectfully traverses this rejection because Atsushi fails to disclose (or suggest) the recited guide groove, or more particularly, the first guide groove of independent claim 1 of the present invention, as amended.

The Examiner cites Figs. 25 of Atsushi as being analogous to the head slider of the present invention, and asserts (page 4 of the outstanding Office Action, first paragraph) that the “inclined wall to the right of item 31” in Fig. 25 is analogous to the first guide groove of the present invention. These features of Atsushi, however, as cited by the Examiner, fail to read upon any plain meaning of the claim term “groove,” as clearly recited, and sufficiently defined in the present Application.

Fig. 1 of the present invention, for example, clearly illustrates how the air flow guide part 52 comprises left and right guide grooves 52a, 52b respectively, and that these guide grooves clearly meet the common dictionary definition of the term “groove”

in a way that Atsushi cannot. Webster’s Desk Dictionary (1993 edition) defines “groove” as “a long, narrow cut in a surface.” Nothing about the cited features from Atsushi, however, meet this common definition of the term. Accordingly, the Examiner has not actually identified any “groove” in Atsushi, as the term is commonly used, and, as the term is also clearly used within the present Specification. A *prima facie* case of anticipation has therefore not been established against the present invention, and the outstanding rejection should therefore be withdrawn for at least these reasons.

All of claims 2-7 depend directly or indirectly from independent claim 1, and therefore should also be in condition for allowance for at least the reasons discussed above with respect to the base claim. With respect to claim 7 in particular, Applicant further traverses the rejection of this claim individually.

Claim 7 recites the second guide grooves as specifically being “a pair.” The Examiner, however, has cited only a single “inclined wall to the left of item 31” from Fig. 25 of Atsushi as being analogous to this pair of recited second guide grooves. Accordingly, because the Examiner has not even identified a pair of any element featured in Fig. 25 of Atsushi, the rejection of claim 7 in particular is deficient on its face, and should be withdrawn for at least these reasons, and independently of those discussed above with respect to claim 1.

Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Atsushi, in view of Utsunomiya (U.S. 6,072,662). Applicant respectfully traverses this rejection for at least the reasons discussed above with respect to the rejection of independent claim 1 based on Atsushi only. Claim 8 depends indirectly from

independent claim 1, and therefore includes all of its features, plus additional features. Applicant further traverses the rejection because, once again, the Examiner has not identified any feature from Utsunomiya either that meets the common definition of the claim term “groove.”

A “recess” is not automatically equivalent to a “groove,” as erroneously asserted by the Examiner. A recess, as indicated in Fig. 17 of Utsunomiya (element B) can be a simple indentation of generally any shape. Although a groove may also be considered a recess, not all recesses will automatically be grooves, because groove has a more limited definition. None of the recesses shown by Utsunomiya, or cited by the Examiner from the reference, are shown to be “a long, narrow cut in a surface,” for example. Accordingly, the rejection of claim 7 should be withdrawn for at least these reasons as well.

With respect to claims 9 and 10 of the present invention, regardless of corrections that may be made by the Examiner in a resubmitted Office Action, Applicant points out that both of these claims depend directly or indirectly from independent claim 1, and will therefore be in condition for allowance for at least the reasons argued above with respect to claim 1, regardless of a potential new grounds of rejection against these two claims.

The amendments to independent claims 1 and 7 presented herein represent only the incorporation into independent claim 1 of some of the subject matter originally recited in claim 7. Accordingly, the Examiner should find that no new issues have been

raised requiring any further search or consideration by the Examiner, and that therefore these amendments are appropriate and necessary for entry even after final rejection.

For all of the foregoing reasons, Applicant submits that this Application, including claims 1-10, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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